

REMARKS/ARGUMENTS

In response to the Office Action mailed November 1, 2007, Applicant respectfully requests that the Examiner reconsider the objections to the specification and drawings and the rejections of the remaining claims.

Claims 1-6, 8-13 and 15-20 remain.

Claims 1-20 stand rejected under 35 U.S.C. § 112, second paragraph as being incomplete. Specifically, Applicant has amended claims 1, 4, 8, 11, 15, and 17 and respectfully submits that claims 1-20 are now compliant with 35 U.S.C. § 112, second paragraph.

Claims 3-4, 10-11 and 16-17 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Again, Applicant has amended claims 1, 4, 8, 11, 15, and 17 and respectfully submits that claims 3-4, 10-11 and 16-17 are now compliant with 35 U.S.C. § 112, second paragraph.

Claims 1-4 and 15-17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Knauft (US 2001/0029581 A1) (hereinafter Knauft). Applicant respectfully traverses these rejections.

An anticipation rejection of a claim under 35 U.S.C. §102(b) requires identity of invention; each and every feature of the claim must be identified by the Examiner, either explicitly or inherently, in a single prior art reference. Further, to establish inherency, extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the device or system described in the reference, and that it would be so recognized by persons of ordinary skill in the art. *In re Robertson*, 169 F.3d 743, 49 USPQ2d 1949 (Fed. Cir. 1999). Inherency may not established by probabilities or possibilities; the mere fact that a certain thing may result from a given set of circumstances is not sufficient to establish inherency. *Scaltech, Inc. v. Retech/ Tetra L.L.C.*, 156 F.3d 1193, 51 USPQ.2d 1055 (Fed. Cir. 1999). The Examiner has not met this burden as to the claims of the present application.

Even if the Examiner met his burden, Knauft does not include an ability to wipe out a document from any storage device as recited in independent claims 1 and 15. Therefore, Applicant respectfully submits that claims 1 and 15 are patentable over Knauft. In addition,

since claims 2-3, and 16-17 are dependent claims 1 and 15 respectfully, claims 2-3, and 16-17 are also patentable over Knauft for at least the same reasons.

Claims 1-2, 5, 8-9, 12, 15 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kanungo (US 2005/0120212 A1) (hereinafter Kanungo). Applicant respectfully traverses these rejections.

As stated earlier, an anticipation rejection of a claim under 35 U.S.C. §102(b) requires identity of invention; each and every feature of the claim must be identified by the Examiner, either explicitly or inherently, in a single prior art reference. Applicant respectfully submits that the Examiner has not met this burden as to the claims of the present application.

However, even if the Examiner met his burden, Kanungo does not include the ability to wipe out a document from any storage device as recited in independent claims 1, 8, and 15. Consequently, Applicant respectfully submits that claims 1, 8 and 15 are patentable over Kanungo. Moreover, since claims 2, 5, 9, 12 and 18 are dependent claims 1, 8 and 15 respectfully, claims 2, 5, 9, 12 and 18 are also patentable over Kanungo for at least the same reasons.

Claims 3-4, 10-11 and 16-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanungo, in view of Knauft.

The combination of the teachings of the Kanungo and Knauft fails to suggest the ability to wipe out a document from any storage device as recited in independent claims 1, 8, and 15. Further, since claims 3-4, 10-11 and 16-17 are dependent claims 1, 8 and 15 respectfully, claims 3-4, 10-11 and 16-17 are also patentable over Kanungo and Knauft for at least the same reasons.

Claims 6, 13 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanungo.

Again Kanungo fails to suggest the ability to wipe out a document from any storage device as recited in independent claims 1, 8, and 15. In addition, since claims 6, 13 and 19 are dependent claims 1, 8 and 15 respectfully, claims 6, 13 and 19 are also patentable over Kanungo for at least the same reasons.

Claims 7, 14 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanungo further in view of Leonard. Claims 7, 14 and 20 have been canceled so the rejection of those claims is now mute.

However, the Examiner failed to cite where Leonard teaches the ability to wipe out a document from any storage device as recited in independent claims 1, 8, and 15. Therefore, the Examiner has not his burden. In addition, the Examiner has not shown any motivation to combine Kanungo and Leonard teachings.

No new matter has been added. Applicant respectfully submits that the Claims as they now stand are patentably distinct over the art cited during the prosecution thereof.

With the addition of no new claims, no additional filing fees are due. However, Applicant respectfully requests a Three (3) Month Extension of Time to File this Response. Enclosed with this report is Form PTO/SB/22 with Extension Fees in the amount of \$1,050.00. The Director is hereby authorized to charge any fees or credit any overpayment to Deposit Account Number 50-0856 of Michael A. O'Neil, PC.

If the Examiner has any questions or comments concerning this paper or the present application in general, the Examiner is invited to call the undersigned at 214-739-0088, ext. 8.

Respectfully submitted,

Date: April 29, 2008

/Ruben C. DeLeon/

Ruben C. DeLeon

Reg. No. 37,812

LAW OFFICE OF MICHAEL A. ONEIL, PC

5949 Sherry Lane, Suite 820

Dallas, TX 75225

Telephone: (214) 739-0088

Facsimile: (214) 739-8284